

## PLANNING COMMISSION ALTERNATIVE

**The Planning Commission adopted the City Council Alternative text amendment with several additional provisions recommended by the Commission and staff. Text in bold lettering was added to the City Council Alternative by the Planning Commission.**

### **Amending Title 20, Chapter 525 of the Minneapolis Code of Ordinances relating to Zoning Code: Administration and Enforcement.**

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 525.140(b) be amended to read as follows:

**525.140. Application procedures.** (a) *In general.* All applications submitted shall be processed by the zoning administrator, who shall make a preliminary investigation, in accordance with the procedures set forth in this chapter.

(b) *Determination of completeness of application.* The zoning administrator shall review all applications and determine whether such applications are complete. Applications shall not be accepted as complete until the applicant has complied with all of the following:

- (1) A pre-application meeting with city staff during which the appropriate application procedures, requirements and applicable zoning ordinance provisions are reviewed and explained.
- (2) Submittal of all required application forms relating to the application, including all additional applications, as required in sections 525.20 and 525.30.
- (3) Submittal of all supporting information required by city ordinance, the zoning administrator, the planning director, the application forms, or by law, including a list of all owners of record of property located in whole or in part within three hundred fifty (350) feet of the boundaries of the subject property, as identified in the records of the Hennepin County Department of Property Taxation.
- (4) Submittal of all fees.
- (5) Submittal of all required environmental reviews.
- (6) Submittal of all required state and federal permits for uses located in the FP Floodplain Overlay District.

- (7) For all land use applications requiring a public hearing as set forth in this zoning ordinance, except appeals of decisions of the city planning commission or board of adjustment, submittal of evidence that notification of the application has been mailed or delivered to the ward council office, the neighborhood group(s), and the business association(s), if any, for the area in which the property is located. The neighborhood group(s) and the business association(s) to be notified are those organizations that appear on a list maintained by the planning department for this purpose. The notification shall include the following information: a description of the project; the zoning approvals that the applicant is aware are needed for the project; the address of the property for which zoning approval is sought; and the applicant's name, address, telephone number, and e-mail address, if available. Where the property for which zoning approval is sought is located on a public street that acts as a boundary between two neighborhoods, the above information shall also be provided to the neighborhood group(s) and business association(s) representing the adjacent area(s).

Section 2. That Section 525.150 be amended to read as follows:

**525.150. Public hearings.** (a) *Notice.*

- (1) *Land use applications.* For all land use applications requiring a public hearing as set forth in this zoning ordinance, except appeals of decisions of the city planning commission or board of adjustment and applications for waiver of the restrictions of an interim ordinance, notice of the public hearing shall be given in the following manner. The failure to give mailed notice to individual property owners, or defects in the notice, shall not invalidate the proceedings, provided a bona fide attempt to comply with this section has been made.
- a. *Newspaper of general circulation.* The zoning administrator shall publish notice of the time, place and purpose of the public hearing at least once, not less than fifteen (15) days before the hearing, in a newspaper of general circulation.
  - b. *Registered neighborhood groups and business associations.* The zoning administrator shall mail notice of time, place and purpose of the public hearing to the registered neighborhood group(s) and business association(s), if any, for the ~~neighborhood~~ area in which the subject property is located not less than twenty-one (21) days before the hearing.
  - c. *Affected property owners.* The zoning administrator shall mail notice to all owners of record of property located in whole or in

part within three hundred fifty (350) feet of the boundaries of the subject property, not less than fifteen (15) days before the hearing.

- d. *Posted card.* Notice of time, place and purpose of such public hearing shall also be posted, with a card sign furnished by the zoning administrator's office, on the four (4) corners of the site involved. Said sign shall be posted not later than ten (10) days prior to the date of the hearing.

(2) *Zoning amendments initiated by the city council or city planning commission.* For all zoning amendments initiated by the city council or city planning commission as set forth in this chapter, except interim ordinances, notice of the public hearing shall be given in the following manner. The failure to give mailed notice, or defects in the notice, shall not invalidate the proceedings, provided a bona fide attempt to comply with this section has been made.

- a. *Newspaper of general circulation.* The planning director shall publish notice of the time, place and purpose of the public hearing ~~each week for three (3) successive weeks prior to the public hearing~~ in a newspaper of general circulation **in the manner provided by Minnesota Statutes section 462.357.**
- b. *Registered neighborhood groups and business associations.* The planning director shall mail notice of time, place and purpose of the public hearing to the affected registered neighborhood group(s) and business association(s), if any, not less than twenty-one (21) days before the hearing.
- c. *Property owners.* Notice to property owners shall **be provided in the manner provided by Minnesota Statutes section 462.357.** ~~not be required.~~

(b) *Notification regarding natural resources.* When any conditional use permit, variance, ~~appeal, or zoning amendment, expansion of nonconforming use, or other similar land use review,~~ relates to the FP Floodplain, SH Shoreland or MR Mississippi River Critical Area Overlay Districts, as established in Chapter 551, Overlay Districts, the zoning administrator shall **mail submit** to the Minnesota Commissioner of Natural Resources, Minneapolis Park and Recreation Board and the affected watershed district or flood-control commission the notice of the hearing at least twenty-one (21) days in advance of the hearing. In addition, a copy of all decisions shall be forwarded to such agencies within ten (10) days of any decision.

(c) *Procedures.* All hearings conducted shall be open to the public. Any person may appear and testify at a hearing either in person or by duly appointed agent or attorney. The chair or the acting chair may administer oaths. Upon the conclusion of the

testimony in each hearing, the review body shall announce its decision or recommendation or shall lay the matter over to a subsequent meeting. The review body shall keep minutes of its public hearings, and shall also keep records of its official actions. Decisions of the review body shall be filed in the office of the zoning administrator or in the office of the city clerk.